By Brown

J.J.R. No. 7/

· · · · · · · · · · · · ·

# SENATE A JOINT RESOLUTION

- proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County.
- 3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- SECTION 1. Article XVI of the Texas Constitution is amended by adding Section 65A to read as follows:
- Sec. 65A. Notwithstanding Section 65 of this article, the

  election and term of office of a district attorney serving a

  judicial district composed entirely of Fort Bend County are

  governed by the law relating to criminal district attorneys.
- SECTION 2. The following temporary provision is added to the Texas Constitution:
- TEMPORARY PROVISION. (a) This temporary provision applies
  to the constitutional amendment proposed by the 71st Legislature,
  Regular Session, 1989, requiring a district attorney serving in a
  judicial district composed entirely of Fort Bend County to be
  elected and serve a term in the manner provided by general law for
- criminal district attorneys.
- 18 (b) The constitutional amendment takes effect January 1,
  19 1990.
- 20 (c) This temporary provision takes effect on the adoption of 21 the amendment by the voters and expires January 2, 1990.
- SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or

4-27-89 5-9-89 5-26-89

- against the proposition: "The constitutional amendment requiring a  $\frac{1}{2}$
- 2 district attorney serving in Fort Bend County to be elected and
- 3 serve a term in the manner provided by general law for criminal
- 4 district attorneys."

By: S.J.R. No. 71 (In the Senate - Filed April 10, 1989; April 10, 1989, read first time and referred to Committee on Intergovernmental Relations; April 27, 1989, reported favorably by the following vote: Yeas 6, Nays 0; April 27, 1989, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Parmer	х		V.V	
Leedom	х			
Armbrister	х			
Barrientos				х
Brown	х			
Carriker	х			
Haley				Х
Ratliff	х			
Tejeda				х
Washington				х
Whitmire				х

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article XVI of the Texas Constitution is amended by adding Section 65A to read as follows:

Sec. 65A. Notwithstanding Section 65 of this article, the election and term of office of a district attorney serving a judicial district composed entirely of Fort Bend County are governed by the law relating to criminal district attorneys.

SECTION 2. The following temporary provision is added to the

Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies the constitutional amendment proposed by the 71st Legislature, Regular Session, 1989, requiring a district attorney serving in a judicial district composed entirely of Fort Bend County to be elected and serve a term in the manner provided by general law for criminal district attorneys.

(b) The constitutional amendment takes effect January 1,

(c) This temporary provision takes effect on the adoption of the amendment by the voters and expires January 2, 1990.

SECTION 3. This proposed constitutional amendment shall be

submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment requiring a district attorney serving in Fort Bend County to be elected and serve a term in the manner provided by general law for criminal district attorneys."

\* \* \* \* \*

Austin, Texas April 27, 1989 

Hon. William P. Hobby President of the Senate

Sir:

your Committee on Intergovernmental Relations to which was referred S.J.R. No. 71, have had the same under consideration, I am instructed to report it back to the Senate with recommendation that it do pass and be printed. 

Parmer, Chairman

Austin, Texas

## FISCAL NOTE April 27, 1989

TO: Honorable Hugh Parmer, Chairman

In Re: Senate Joint Resolution No. 71

Committee on Intergovernmental

By: Brown

Relations Senate Chamber

Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 71 (proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would require the election of the district attorney in Fort Bend County to be governed by the law relating to criminal district attorneys. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

#### SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Hobby President of the Senate				4/27 189 (date)
Sir:				
We, your Committee onINTER	GOVERNMEN	TAL RELATIONS		_to which was referred
	ОШИ (sponsor)			, 19 <u>855</u> , had the same
(measure)	(hearing date)			
under consideration and I am instru	ucted to repo	rt it back with the rec	commendation (s)	that it
do pass and be printed				
() do pass and be ordered not pr	inted			
() and is recommended for place	ement on the	Local and Unconteste	ed Bills Calendar.	
A fiscal note was requested.	(V yes	( ) no		
A revised fiscal note was requested	. () yes	<b>Y</b> no		
An actuarial analysis was requested	l. () yes	(Y no		
Considered by subcommittee.	() yes	(/no		
Senate Sponsor of House Measure _			_	
The measure was reported from Co	mmittee by t	he following vote:		

	YEA	NAY	PNV	ABSENT
Parmer, Chairman	V		, , ,	
Leedom, Vice Chairman	7, .			
Armbrister				
Barrientos	•			<u> </u>
Brown				-
Carriker				
Haley				<b>/</b>
Ratliff				
Tejeda	•			
Washington	•			\ 
Whitmire	•			<b>✓</b>
TOTAL VOTES	6	0	0	5

COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

May 9 1989 Engrossed

Patry Saw

Engrossing Clerk
1989 MAY 15 PM 12: 33

HOUSE OF OPPRESENTATIVES

copy of SJR 71 which was something from the Senate on S-9-89 and correct to the S-9-89 and correct to the Senate on S-9-89 and correct to the Senate on S-9-89 and correct to the S-9-89 and correct to the S-9-89

By: Brown

S.J.R. No. 71

1 (Tallas)

SENATE JOINT RESOLUTION

- proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County.
- 4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. Article XVI of the Texas Constitution is amended 6 by adding Section 65A to read as follows:
- Sec. 65A. Notwithstanding Section 65 of this article, the

  8 election and term of office of a district attorney serving a

  9 judicial district composed entirely of Fort Bend County are

  10 governed by the law relating to criminal district attorneys.
- SECTION 2. The following temporary provision is added to the Texas Constitution:
- TEMPORARY PROVISION. (a) This temporary provision applies
  to the constitutional amendment proposed by the 71st Legislature,
  Regular Session, 1989, requiring a district attorney serving in a
  judicial district composed entirely of Fort Bend County to be
  elected and serve a term in the manner provided by general law for
  criminal district attorneys.
- (b) The constitutional amendment takes effect January 1, 20 1990.
- 21 (c) This temporary provision takes effect on the adoption of 22 the amendment by the voters and expires January 2, 1990.
- SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 7, 1989. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment requiring a

S.J.R. No. 71

- 1 district attorney serving in Fort Bend County to be elected and
- 2 serve a term in the manner provided by general law for criminal
- 3 district attorneys."

Austin, Texas

## FISCAL NOTE April 27, 1989

TO: Honorable Hugh Parmer, Chairman

In Re: Senate Joint Resolution No. 71

By: Brown

Committee on Intergovernmental Relations

Senate Chamber Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 71 (proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would require the election of the district attorney in Fort Bend County to be governed by the law relating to criminal district attorneys. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

# HOUSE COMMITTEE REPORT

## 1st Printing

By:

Brown

HOUSE OF REPRESENTATIVES

S.J.R. No. 71

1	(Tallas) SENATE JOINT RESOLUTION
2	proposing a constitutional amendment relating to the election of a
3	district attorney in Fort Bend County.
4	BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Article XVI of the Texas Constitution is amended
6	by adding Section 65A to read as follows:
7	Sec. 65A. Notwithstanding Section 65 of this article, the
8	election and term of office of a district attorney serving a
9	judicial district composed entirely of Fort Bend County are
10	governed by the law relating to criminal district attorneys.
11	SECTION 2. The following temporary provision is added to the
12	Texas Constitution:
13	TEMPORARY PROVISION. (a) This temporary provision applies
14	to the constitutional amendment proposed by the 71st Legislature,
15	Regular Session, 1989, requiring a district attorney serving in a
16	judicial district composed entirely of Fort Bend County to be
17	elected and serve a term in the manner provided by general law for
18	criminal district attorneys.
19	
20	(b) The constitutional amendment takes effect January 1, 1990.
21	
22	(c) This temporary provision takes effect on the adoption of
	the amendment by the voters and expires January 2, 1990.
23	SECTION 3. This proposed constitutional amendment shall be
24	submitted to the voters at an election to be held on November 7,
25	1989. The ballot shall be printed to provide for voting for or
26	against the proposition: "The constitutional amendment requiring a

S.J.R. No. 71

- district attorney serving in Fort Bend County to be elected and
- 2 serve a term in the manner provided by general law for criminal
- 3 district attorneys."

### **COMMITTEE REPORT**

[he	Honorat	ole Gib	Lewis	
Sne	aker of t	the Ho	use of	Representatives

5-17-89

Sir:				
We, your COMMITTEE ON COUN	ITY AFFAIRS,			
to whom was referred	P71	have had the same u	nder consideration	and beg to report
back with the recommendation th	•			
do pass, without amendment. ( ) do pass, with amendment(s). ( ) do pass and be not printed; a	Complete Commit	ttee Substitute is recom	imended in lieu of	the original measure.
A fiscal note was requested. ( ) y	es 💢 no	An actuaria	l analysis was req	uested. ( ) yes 💢 no
An author's fiscal statement was	requested. ( ) yes	<b>⋈</b> no		
A criminal justice policy impact st	atement was prep	pared. ( ) yes 💢 no		
A water development policy impa	ct statement was	requested. ( ) yes 💢 r	10	
( ) The Committee recommends		•		Consent Calendars for
placement on the ( ) Local, (				
This measure ( ) proposes new la	aw. Xamends	s existing law.		
House Sponsor of Senate Measu	ire TALIA	2		
The measure was reported from	Committee by the	following vote:		
·	AYE	NAY	PNV	ABSENT
Stiles, Ch.	X		1144	ADOLIVI
Campbell, V.C.				X
Chisum	×			
Crawford	×			
Jones	×			
Linebarger				X
Melton	X			
Robinson				X
Soileau				X
Wentworth				X
Willy	X			
	·			
		<b>A</b>		
		$\perp$ $\times$	. / \	1
Total		()Vai	んしとす	15
aye		CHAIRMAN		- 0,50
0	voting	10 alma	1. 4/11/	7 10
absent	•	COMMITTEE C	OORDINATOR	

By: BROWN-(TALLAS)

S.J.R. 71

#### BACKGROUND:

Current law provides that Fort Bend County is represented by a criminal district attorney. Sec. 44.179, Government Code. Effective January 1, 1991, S.B. 1033 would abolish the office of criminal district attorney, and create the office of district attorney for the 268th District Court and create the office of county attorney for Fort Bend County.

Article XVI of the Texas Constitution provides that district and county attorneys shall serve for four years, with the next election being in 1992, while criminal district attorneys also serve for four years with their next election being in 1990. Secs. 64 & 65, Art. XVI, Texas Constitution.

#### PURPOSE:

S.J.R. 71 proposes a constitutional amendment relating to the election of a district attorney in Forth Bend County. The constitutional amendment has the effect of insuring that the county attorney and district attorney, who ordinarily would be elected in the same election, have their elections on offsetting even-numbered years.

#### RULEMAKING AUTHORITY:

It is the Committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, department, institution, or agency.

#### SECTION-BY-SECTION ANALYSIS:

SECTION 1. Amends Article XVI, Texas Constitution, by adding Section 65A, to provide that notwithstanding Section 65 of this Article, the election and term of office of a district attorney serving a judicial district composed entirely of Fort Bend County are governed by the law relating to criminal district attorneys.

SECTION 2. Adds to the Texas Constitution a temporary provision, which applies to the constitutional amendment proposed by the 71st Legislature requiring a district attorney serving in a judicial district composed entirely of Fort Bend County to be elected and serve a term in the manner provided by general law for criminal district attorneys. Provides that the constitutional amendment takes effect January 1, 1990. Provides that this temporary provision takes effect on the adoption of the amendment by the voters and expires January 2, 1990.

SECTION 3. Requires that this proposed constitutional amendment be submitted to the voters at an election to be held on November 7, 1989. Provides for the wording of the ballot.

#### SUMMARY OF COMMITTEE ACTION

S.J.R. 71 was considered in a formal meeting on May 17, 1989. The motion to report the bill favorably to the full House with the recommendation that it do pass prevailed with a vote of 6 Ayes, 0 Nays, 0 PNV, and 5 Absent.

Committee on County Affairs 05/17/89 sem

Austin, Texas

## FISCAL NOTE April 27, 1989

TO:

Honorable Hugh Parmer, Chairman Committee on Intergovernmental

In Re: Senate Joint Resolution No. 71

By: Brown

Relations Senate Chamber Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 71 (proposing a constitutional amendment relating to the election of a district attorney in Fort Bend County) this office has determined the following:

The resolution proposes a constitutional amendment which, if adopted, would require the election of the district attorney in Fort Bend County to be governed by the law relating to criminal district attorneys. The proposed amendment would be submitted to the voters on November 7, 1989.

The cost of publication of the resolution to the State is estimated to be \$60,000.

Enrolled May 26, 1989

Patry Saw

Enrolling Clerk

S.J.R. No. 71

#### 1 SENATE JOINT RESOLUTION proposing a constitutional amendment relating to the election of 2 3 district attorney in Fort Bend County. BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Article XVI of the Texas Constitution is amended 5 by adding Section 65A to read as follows: 6 7 Sec. 65A. Notwithstanding Section 65 of this article, the election and term of office of a district attorney serving a 8 judicial district composed entirely of Fort Bend County are 9 10 governed by the law relating to criminal district attorneys. SECTION 2. The following temporary provision is added to the 11 12 Texas Constitution: TEMPORARY PROVISION. (a) This temporary provision applies 13 to the constitutional amendment proposed by the 71st Legislature, 14 . 15 Regular Session, 1989, requiring a district attorney serving in a judicial district composed entirely of Fort Bend County to be 16 elected and serve a term in the manner provided by general law for 17 18. criminal district attorneys. 19 (b) The constitutional amendment takes effect January 1, 20 1990.

submitted to the voters at an election to be held on November 7,

against the proposition: "The constitutional amendment requiring a

the amendment by the voters and expires January 2, 1990.

SECTION 3.

(c) This temporary provision takes effect on the adoption of

The ballot shall be printed to provide for voting for or

This proposed constitutional amendment shall be

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1989.

S.J.R. No. 71

- 1 district attorney serving in Fort Bend County to be elected and
- 2 serve a term in the manner provided by general law for criminal
- 3 district attorneys."

President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 71 was adopted by the Senate on May 9, 1989, by the following vote: Yeas 31, Nays O.

Secretary of the Senate

I hereby certify that S.J.R. No. 71 was adopted by the House on May 25, 1989, by the following vote: Yeas 141, Nays 0, three present not voting.

Chief Clerk of the House

Austin, Texas

## FISCAL NOTE April 27, 1989

TO: Honorable Hugh Parmer, Chairman

In Re: Senate Joint Resolution No. 71

By: Brown

Committee on Intergovernmental Relations Senate Chamber Austin, Texas

FROM: Jim Oliver, Director

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The cost of publication of the resolution to the State is estimated to be \$60,000.

The

President of the Senate

I hereby certify that S.J.R. No. (1) was adopted by the Senate on (2), 1987, by the following vote:

Yeas (3), Nays (4).

Secretary of the Senate

I hereby certify that S.J.R. No. (1) was adopted by the House on (5), 1987, by the following vote:

Yeas (6), Nays (7), Hour principle of the House

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### SENATE JOINT RESOLUTION

	constitutional amendment relating to the election of a district
	接続하다 사람들에 위한 경우를 생각되었다. 그 그 그 그 그는 그는 그는 그는 그는 그는 그는 그를 보는 것이다.
APR 1 0 1988	Filed with the Secretary of the Senate INTERGOVERNMENTAL RELATIONS  Read and referred to Committee on
APR 2 7 1989	Reported favorably
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
	Ordered not printed
	Laid before the Senate
MAY 9 1989	Senate and Constitutional Rules to permit consideration suspended by:
	yeas,nays
MAY 9 1989	. Read second time,, and ordered engrossed by: unanimous consent
	yeas,na
	. Caption ordered amended to conform to the body of the bill.
MAY 9 1989	Senate and Constitutional 3 Day Rule suspended by a vote of <u>30</u> yeas, <u>1</u> nays.
MAY 9 1989	. Read third time,, and passed by
	Betty Ling
	SECRETARY OF THE SENATE
OTHER ACTION:	
OTILE ACTION.	이번 경우를 살 때에 가게 하는 것은 하다는 것이 얼마를 받는다면 하는데 없다.
May 9,1989	
1047,1907	Engrossed
7 Day 9, 1989	Sent to House
Fatre	Law)
Engrossing Clerk	
MAY 9 1980,	Received from the Senate
MAY 1 5 1989	Read first time and referred to Committee on Loun Committee
5-17-89	What a man
5.18.81	Reported favorably amended, sent to Printer MAY 1 7 1889  Printed and Distributed 10: 16 AM
MAY 1 8 1989	2.26
MAY 2 5 1989	Solit to Committee on Catalogue
	Read second time (amended) and finally adopted failed adoption by Record Vote of yeas, nays, present not voting.
	Read third time (amended) and finally adopted failed adoption by a Record Vote of
TOTAL TORG	Caption ordered amended to conform to body of resolution
MAY 26, 1989	Returned to Senate.
	Better My
MAY 2 6 1989	CHIEF CLERY OF THE HOUSE
	Returned from House without amendment.
	Returned from House with amendments.
	Concurred in House amendments by a viva voce voteyeas,nays.

		House an	nenuments and requested the	appomunen	or a comic	CHCC CO	maintee to
	adjust the differences.						
<u> </u>	Senate conferees instru	icted.					
•	Senate conferees anno	inted:		Chairma	n:		
<del></del>	_ Benute comerces appo	<u></u>					
		<del></del>		and the second second			
·	House granted Senate	request.	House conferees appointed:			······	, Chairman;
10.0							
					•		
	Conference Committee	e Report	read and filed with the Secret	ary of the Se	nate.	* 2	
	Conference Committee	e Report	adopted on the part of the Ho	ouse by:		· · · · · · ·	
			voce vote				
		\ a viva	yeas,nays				
		(—	yeas,nays				
	Conference Committee	e Report	adopted on the part of the Se	nate by:		1	
		( a viva	voce vote	•,			
•	•		yeas, nays				
		(	yeas, nays				
OTHER ACTION	ON:						
	. Recommitted to Confe	erence Co	ommittee	* **			
	Conferees discharged						
		1.			· •		
	. Conference Committee	e Report	failed of adoption by:		· · · · · · · · · · · · · · · · · · ·		
		( a viva	voce vote	-			
		}	_ yeas,nays				
		(	_ yeas,uays				

89 MAY 18 AM 10: 16 HOUSE OF REPRESENTATIVES

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